

N-411

*Copy for S.C. (Special Branch)*

411

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"C"

Misc. 549/40.

Hongkew  
October 1st.

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Re the arrest by the Japanese Consular Police  
of two Swiss subjects.

At 12.28 a.m. on 1/10/40, a telephone communication was received from an unknown male who reported that fighting was in progress at the intersection of Broadway-Yuenchang Road, and requested that police be sent to the scene.

P.P.S.s 567 Incue and 561 Yamaguchi, attended and returned to the station to report that the fight had taken place between a Swiss and a Korean both of whom had <sup>been</sup> taken by the Japanese Consular Police to their Sub-Office, No. 213 Yangtszepoo Road.

To D.D.O. "C".

Sir,

Otto Benkert was interviewed about 9.45 a.m. on 1/10/40 by D.S.I. Beloshenko at his home and he stated both had been released about 4.15 a.m. on 1/10/40 by the J.C. Police. He also stated they do not intend to take the matter up with the Swiss Consul.

The undersigned, accompanied by D.P.S. 783 Izumi, proceeded to the above sub-office where two Swiss subjects namely Georges Emile Guhl, age 35, Restaurant owner, residing No. 1473 Yu Yuen Road and Otto Benkert, age 27, residing No. 58 Yuenchang Road, together with a Korean named M. Oka, age 40, Merchant, residing No. 25 Yuenchang Road, were found under detention.

The two Swiss subjects were questioned by the undersigned when Guhl, stated that he and his friend Benkert, had prior to the trouble visited the Lear Bar No. 1 Yuenchang Road, and at about 12.10 a.m. he came

Y.O.S.  
Sgd. A. Telfer.  
Sen. Det. 1/c.  
1/10/40.

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outside to observe the Korean Oka leaning over his motor cycle C.C. licence No.129, which before entering the bar he had placed against the pavement, suspecting that Oka was about to steal some of the fittings he approached him and with his open hand pushed him away from the machine and at the same time warned him to leave it alone. Oka, then walked away and he re-entered the bar.

About 10 minutes later he again left the bar and upon emerging onto Yuenchang Road, received a sharp blow on the left side of his face and observed Oka the person who had struck the blow standing with two Japanese marines, he retaliated and his friend Henkert, hearing the commotion left the bar and joined in the struggle which only lasted a few minutes, when suddenly the two F.P.S.s from Hongkew Station arrived on the scene and had almost settled the matter when the Consular Police arrived and took both he and his friend to No.213 Yangtszepoo Road.

Japanese Consular Constable M. Nakamoto, who was in charge of the Sub-Station, but could not speak English had Oka's explanation translated to him by D.P.S. Izumi, and then stated that the statement was not correct insofar as the Japanese marines had stated that Oka, had first attacked Oka. It was then pointed out to him that both Oka and Henkert, were Swiss subjects and enjoy

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extrajurisdictional rights, therefore it would be better if they should be handed over to the S.M.P. for investigation. He then demanded that they produce papers to prove their nationality whereupon Henkert, produced his passport and Subl an identification pass bearing the Swiss Consular stamp, these were accepted by Constable Nakamoto, who stated that both men would be detained until investigations were completed. Further representations for their release were then made whereupon he stated that both men had been discourteous by upon entering the office sitting upon his desk and ended by emphasizing the fact that they would be detained pending the conclusion of enquiries. Further negotiations apparently futile the undersigned and D.P.S. Izumi returned to the station <sup>and</sup> ~~was~~ reported results to F.S. Cram, on charge room duty, he in turn informed D.O. "C" and Chief Inspector Perkins, officer in charge. As a result C.I. Perkins, dressed and accompanied the undersigned and D.P.S. Izumi, to No. 213 Yungtasepoo Road, to further negotiate, but upon arrival 5.15 a.m. was informed that both the Swiss subjects had been released about one hour before.

  
Sen. Dep. 1/3.

D.D.O. "G".

  
D. S. 326.